

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF YAVAPAI

FILED
DATE: <u>6-21-2011</u>
<u>4:28</u> o'clock <u>P.M.</u>
Sandra K Markham, Clerk
BY: <u>Tonya Brogdon</u>
Deputy

DIVISION PRO TEM B

SANDRA K MARKHAM, CLERK

HON. WARREN R. DARROW

BY: T. Brogdon/ R. Hagen, Deputy Clerks

CASE NO. V1300CR201080049

DATE: June 21, 2011

TITLE:
STATE OF ARIZONA,

COUNSEL:
Yavapai County Attorney
By Sheila Polk
Bill Hughes
(Via OnBase)
(For Plaintiff)

(Plaintiff)

v.

JAMES ARTHUR RAY,

Thomas K. Kelly
(Via Electronic Mail)
(For Defendant)
and
Luis Li/Brad Brian/Truc Do/Miriam Seifter
MUNGER TOLLES & OLSON LLP
(Via Electronic Mail)
(For Defendant *Pro Hac Vice*)

(Defendant)

HEARING ON:
TRIAL – DAY 54

NATURE OF PROCEEDINGS

COURT REPORTER
Mina Hunt

START TIME: 9:22 a.m.

APPEARANCES:

Sheila Polk, Counsel for State
Bill Hughes, Co-Counsel for State
Detective Ross Diskin, Case Agent
James Arthur Ray, Defendant
Tom Kelly, Counsel for Defendant
Luis Li, *Pro Hac Vice* Counsel for Defendant
Truc Do, *Pro Hac Vice* Counsel for Defendant
Miriam Seifter, *Pro Hac Vice* Counsel for Defendant

The Court, Counsel, Detective Diskin, Defendant, and the Jury are present in the Courtroom.

Counsel for Plaintiff presents closing argument.

Court and Counsel conduct sidebar discussion outside of the presence of the Jury on the record.

The Jury is reminded of the admonition, excused for a recess and exits the Courtroom.

Court and Counsel discuss scheduling.

~~~Recess~~~

At 11:11 a.m. Court reconvenes, all previously appearing parties and the Jury is present.

Counsel for Plaintiff resumes closing argument.

Court and Counsel conduct sidebar discussion outside of the presence of the Jury on the record.

Counsel waive inspection of the Juror lot box.

Jurors No. 2, 7 and 8 are drawn as alternate Jurors and are admonished and excused.

The Bailiff, Heidi Rybar and Judicial Assistant, Diane Troxell are sworn and at 12:22 p.m. the Jury retires in the custody of the Bailiff to consider its verdict.

~~~Recess~~~

At 3:01 p.m. Court reconvenes, all previously appearing parties are present. The Jury is not present.

Court and Counsel review questions asked by the Jury during deliberation; an answer is delivered to the Jury by the Bailiff.

Counsel for Defendant advises they need the opportunity to complete the record.

~~~Recess~~~

At 3:04 p.m. Court reconvenes, all previously appearing parties are present. The Jury is not present.

Court and Counsel discuss time for Jury deliberation.

~~~Recess~~~

At 4:24 p.m. Court reconvenes, all previously appearing parties are present.

The Jury enters the Courtroom.

The Court recognizes the Jury schedule, excuses the Jury for the evening recess, the Jury is reminded of the admonition and advised they may not deliberate until entire Jury is assembled. The Jury exits the Courtroom.

Court and Counsel discuss time for Jury deliberation.

Counsel for Defendant requests fifteen minutes at 9:30 a.m. to complete the record as to the pending Motion discussed at sidebar.

The Court stands adjourned for the day.

END TIME: 4:28 p.m.

cc: Gallagher & Kennedy, P.C., Counsel for Shore Family (e)
Murphy, Schmitt, Hathaway & Wilson, PLLC, Co-Counsel for Brown Family (e)
Stone & Magnanini, Co-Counsel Brown Family (e)
Aspey, Watkins & Diesel, PLLC, Counsel for Neuman Family (e)
Steptoe & Johnson, Counsel for KPNX Broadcasting Company, TruTV and In Session (e)
Perkins, Coie, Brown & Bain, Counsel KTVK-TV (e)
Division PTB (e)
Victim Services (e)
Court Administration
Customer Service Supervisor, Camp Verde Superior Court Building